

### **REMARKS**

Claims 3-5, 8, 9, 11, 12, and 22-25 are pending in this application. Claims 3-5, 8, 9, 11, 12, and 22-25 are independent claims. Claims 1, 2, 6, 7, 10, and 13-21 have been cancelled.

Claims 3-5, 8, 9, 11, and 12 have been allowed. Claims 22-25 have been rejected. Amendments to claims 22-25 are presented herein. No new matter is being presented, and approval and entry are respectfully requested.

### **Rejections Under 35 U.S.C. § 112, Second Paragraph**

In numbered paragraphs 1 and 2 on page 2 of the Office Action, the Examiner rejected claims 22 and 23 as being indefinite for the reasons set forth therein. Applicant submits that amendments to the claims presented above meet the requirements of 35 U.S.C. § 112, second paragraph. Accordingly, Applicant respectfully requests withdrawal of the rejections to claims 22 and 23 under § 112, second paragraph.

### **Rejections Under 35 U.S.C. § 102**

In numbered paragraphs 3 and 4 on pages 2-9 of the Office Action, the Examiner rejected claims 22-25 under 35 U.S.C. § 102(b) as being anticipated by Nishimura et al. (U.S. Patent No. 5,400,024). Applicant respectfully traverses these rejections for the reasons presented below.

#### **Claims 22 and 23**

Claim 22 recites, as amended, "...transmitting said first converted part from a first base station to said first terminal and transmitting said second converted part from a second base station to said first terminal, wherein said first base station and said second base station simultaneously transmit signals belonging to said first signals for said first terminal, and **said first base station transmits a different signal than a signal transmitted by said second base station**" (emphasis added). Claim 23 recites similar language.

The Examiner stated on page 4 of the Office Action that “in the overlapping part of the two cells 1-2, the moving mobile station receives both signals from base station 1 of the cell 1 and from base station 2 of cell 2.” Thus, the Examiner has asserted that the signal from base station 1 is the same as the signal from base station 2 when the mobile station is located in the overlapping part of the two cells 1 and 2.

In contrast, in the present invention, data (i.e., the first converted part) transmitted from the first base station are different from data (i.e., the second converted part) transmitted from the second base station.

Thus, it is submitted that claims 22 and 23 patentably distinguish over the prior art. The Examiner is respectfully requested to provide a reference that discloses a mobile communication system in which a mobile terminal simultaneously receives different sets of data from different base stations.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejections of claims 22 and 23 under § 102.

#### Claims 24 and 25

Claim 24 recites, as amended, “receiving a time-multiplexed input signal having a plurality of original data components, the original data being continuous, and each original data component to be sent to a different terminal and occupying a single time slot; dividing each original data component into  $n-1$  sub-components, each of the sub-components containing a different and smaller portion of the respective original data component; ... transmitting each of the  $n-1$  converted sub-components of each original data component from a different one of the  $n-1$  base stations to a corresponding terminal, wherein the  $n-1$  base stations, respectively transmitting the  $n-1$  converted sub-components, simultaneously transmit signals belonging to a specific one of the original data components for a corresponding terminal of the specific one of the original data components.” Claim 25 recites similar language.

The Examiner asserted on page 6 of the Office Action that column 2, lines 4-6 of Nishimura disclose the features of “receiving a time multiplexed input signal having **a plurality of original data components**, ... each original data component to be sent to a different terminal and occupying a single time slot” (emphasis added), as recited in claims 24 and 25.

The Examiner also asserted that column 2, lines 14-20 of Nishimura disclose the features of “dividing each original data component into **n-1 sub-components**, each of the sub-components containing a different and smaller portion of the respective original data component” (emphasis added), as recited in claims 24 and 25.

However, the Nishimura reference discloses that the “[d]ata multiplexing and separating circuit 21 **separates the multiplexed 64 kbps digital audio signal** supplied from mobile communication exchange station 1 for respective message channels **to provide single corresponding demultiplexed 64 kbps digital audio signals to digital audio signal processing apparatuses 22a, 22b, . . . , 22m**. Each of the digital audio signal processing apparatuses 22a, 22b, . . . , 22m carries out low bit rate coding of the applied 64 kbps digital audio signal of each channel into a 11.2 kbps digital audio signal . . . to n (n is a positive integer) radio base stations 3a, 3b, . . . , 3n” (emphasis added). See Nishimura at col. 2, lines 14-31.

Assuming, *arguendo*, that the demultiplexed 64 kbps digital audio signals of the Nishimura reference correspond to the sub-components as recited in claims 24 and 25, then the original data component and the sub-components would be 64 kbps, which indicates that the original data components and the sub-components are the same data. Thus, Nishimura does not teach “dividing each original data component into n-1 sub-components, each of the sub-components containing a different and smaller portion of the respective original data component” as recited in claims 24 and 25.

Therefore, Applicant submits that claims 24 and 25 patentably distinguish over the prior art. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejections of claims 24 and 25 under § 102.

### **Conclusion**

In accordance with the foregoing, it is respectfully submitted that all outstanding rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding rejections, the application is submitted to be in condition for allowance, which action is earnestly solicited.

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If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Finally, if there are any additional fees associated with filing of this response, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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